



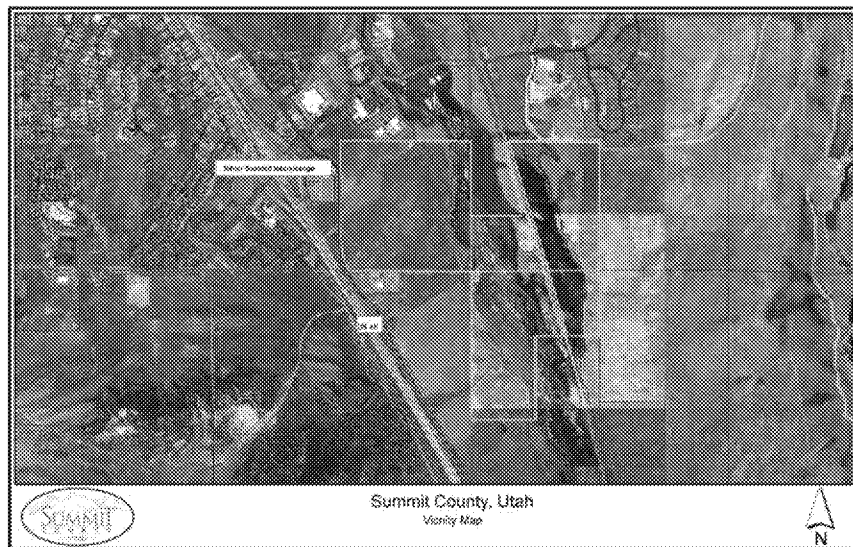
MEMORANDUM

To: Snyderville Basin Planning Commission
From: Jennifer Strader, County Planner
Date of Meeting: June 9, 2015
Type of Item: Work Session
Subject: Pace Meadows Rezone, Development Code Amendment, and Conditional Use Permit

The applicant, Rory Murphy, representing the property owner, the Estate of Florence J. Gillmor, submitted a Rezone Application, Development Code Amendment, and Conditional Use Permit for Parcels SS-47, SS-50, and SS-56, totaling 455.84 acres. The property is located southeast of Home Depot in Silver Summit and is currently zoned Rural Residential (RR). There are no existing structures on the parcels and all of the property is located within the Lower Silver Creek Overlay Zone.

The applicant is proposing a mixed use zone district that would include a mass transit requirement and encourage pedestrian-oriented development. This application proposes rezoning forty six (46) acres and placing the rest under a conservation easement for open space. The applicant evaluated the potential amount of square footage that could be generated on twenty (20) residential lots (based on the existing RR zone) and is proposing to convert that to an equivalent floor area for a mixed use development, resulting in approximately 400,000 square feet.

Staff has attached the written narratives for the applications that were submitted by the applicant and is requesting Planning Commission feedback and direction prior to moving forward with more detailed analysis.



PACE MEADOW PROPERTY ZONE CHANGE PROPOSAL

March 17, 2015



**To: Mr. Patrick Putt, Summit County Community Development Director
Mr. Peter Barnes, Planning and Zoning Administrator
Ms. Jennifer Strader, Senior Planner
Summit County Planning and Zoning Department
60 North Main St.
P.O. Box 128
Coalville, Utah 84017**

From: Rory Murphy and Brooke Hontz

March 17, 2015

Mr. Patrick Putt, Summit County Community Development Director
Mr. Peter Barnes, Planning and Zoning Administrator
Ms. Jennifer Strader, Senior Planner
Summit County Planning and Zoning Department
60 North Main St.
P.O. Box 128
Coalville, UT 84017

RE: Zone Change Proposal

Dear Pat, Peter and Jennifer,

Please find enclosed our application to apply for a rezone on the Pace Meadow property as we discussed in February. When we spoke at our meeting, we discussed the concept of proposing a new Mixed-Use, Transit-Oriented Zone that would be submitted for consideration by the Summit County Planning Staff, the Planning Commission and the County Council.

We have included the following Applications in this rezone submittal:

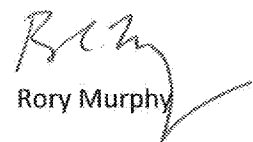
- 1) Development Code Amendment
- 2) Rezone Application
- 3) Sketch Plan

We have also included a request for a temporary stay for the CUP as required by the Rezone application pending a decision by Summit County regarding our Zone Change proposal. As we discussed, it is likely not productive to submit a CUP application at this time until we have received direction from Summit County regarding the Zone change proposal.

The narrative is the same for all of the three submittals and we placed it in the first section of the submittal packet. We felt that it would be easier to understand that way. We have also included all three submittal fees, existing conditions and other pertinent information that may be of assistance.

We deeply appreciate the opportunity to submit this proposal to the Summit County Planning and Zoning Department. Thank you for your consideration of this rezone submittal and please do not hesitate to contact us if you have any questions or comments whatsoever concerning this proposal. Also, please let us know if you require any additional information.

Take care,


Rory Murphy

1	NARRATIVE
2	EXHIBIT A.
3	EXHIBIT B.
4	EXHIBIT C.
5	DEVELOPMENT CODE AMENDMENT APPLICATION FORM
6	REZONE APPLICATION FORM
7	SKETCH PLAN APPLICATION FORM (WITH SKETCH PLANS)
8	LETTER REQUESTING TEMPORARY CUP STAY
9	EXISTING TOPOGRAPHY/ EXISTING UTILITY
10	TITLE INFORMATION

January 22, 2015

To: Mr. Patrick Putt, Summit County Community Development Director
Mr. Peter Barnes, Planning and Zoning Administrator
Ms. Jennifer Strader, Senior Planner
Summit County Planning and Zoning Department
60 North Main St.
P.O. Box 128
Coalville, Utah 84017

From: Rory Murphy and Brooke Hontz

RE: Pace Meadow Property Zone Change Proposal

Dear Pat, Peter and Jennifer,

The subject property, which is known informally as the Pace Meadow property, consists of 455.84 (Four hundred and fifty-five and 84/100's) acres of land located in the eastern portion of the Snyderville Basin Planning Area in Summit County, Utah. The land contiguous and is owned by The Estate of Florence J. Gillmor. The property includes Tax Parcel ID #'s SS-47, SS-50, SS-56 and SS-56-A-1-A. The property is located entirely within the RR (Rural Residential) Zone and also the Lower Silver Creek Soils Temporary Overlay Zone. The property has significant frontage on the access road that extends from the Home Depot turn to the south for over 2,000 linear feet. From east to west, the property originates in foothills adjacent to the Promontory Subdivision and slopes abruptly downward as it enters the Silver Creek drainage basin. After crossing the low wetland area that comprises a portion of the Silver Creek drainage area, the property begins to rise in elevation again and finally terminates as it approaches and borders Old State Highway 40. The elevations run from 6,625 feet to a low of 6,488 feet. The total elevation change is 137 feet.

The land is situated south of the Home Depot and the Summit County Justice Center and extends southward along the visual view shed of Utah State Highway 40. The property extends to the western boundary of Promontory and is north and west of the UDOT Region 8 maintenance facility property.

The Silver Creek watershed area runs south to north through the center of the property. Also, the Rail Trail bisects the property from south to north. Most of the property is visible relative to several vantage points along the Highway 40 corridor. The Rail Trail was built during the 1880's as a line for the Santé Fe Railroad. The Rail Trail aside, which is already a protected trail corridor held in trust by Utah State Parks, there are no other known cultural relics or items of historical significance occur on the property.

Significant existing impactful commercial, institutional and light industrial uses occur to the north, east and south of the property. To the west is the Home Depot complex which is a 150,000 square foot building with approximately five acres of land used for parking, delivery, circulation and outdoor sales uses. There are three additional commercial (C-1) parcels that are as yet undeveloped adjacent to the west and north of the proposed development area. The Summit County Justice Center, comprised of a jail, the County Courthouse and the Summit County Sheriff's offices are located immediately to the north of the proposed development area. Also to the north as is a Utah Power maintenance facility with heavy truck traffic and equipment storage. To the south of the proposed development area is a UDOT Region 8 Transportation Maintenance Facility. The UDOT property, which is approximately six acres in size, is used for salt and deicer storage as well as being the primary maintenance area for the UDOT fleet of trucks, snow removal equipment and heavy machinery. Road infrastructure maintenance equipment is located throughout the UDOT site. The uses surrounding the Gillmor property on three sides have a significant effect on the Pace Meadow property. One would be hard-pressed to find more impactful uses directly adjacent to a proposed development area. Given the uses surrounding the site, large lot residential development would be problematic. It seems incongruent to suggest that large, expensive homes and properties should be located directly next to a jail, big-box retail and a heavy-usage industrial site.

A good portion of the property is jurisdictional wetlands that would therefore be considered "sensitive lands" by the Summit County Development Code. The applicant has conducted a wetland delineation and found that up to 147 acres on the property are considered to be jurisdictional wetlands. An important consideration regarding the wetlands is the reduced density that the Summit County Code incurs on sensitive lands. While the RR Zone is typically 1 unit per 20 acres (which can be up to 1 unit per 10 acres if a well thought out plan is presented and accepted by the jurisdictional authority), sensitive lands, which include wetlands, reduce this density to 1 unit per 40 acres. The Pace Meadow property has approximately 95 acres of jurisdictional wetlands, which would reduce the total base density of the property from 22.79 units to 20.43 units.

Under the RR Zone, the base density of the property is then approximately 20 units. A map showing a base density development is shown as Exhibit A. The units would be large lot subdivisions, or "Estate Lots" that could potentially have a main house, a guest house and a barn in addition to other agricultural uses. There is the potential for each lot to generate 10,000-20,000 square feet in density. Typical homes in this area (Promontory) exceed 8,000-9,000 square feet in size. Combined with the square footage of the guest house and the barn, the square footage could readily approach the higher end of the potential density. There could therefore be as much as 400,000 square feet of density on the property with the current zone in place, scattered throughout the 455.84 acres.

It is rare for such a large contiguous parcel of property to remain intact in the Snyderville Basin and even more uncommon for land that is this accessible and visible to the public. The property presents a unique opportunity for planning and community-related purposes. Pursuing a large lot subdivision on this property would not be in either Summit County's or the applicant's best interest. It is nonetheless the existing Zone and the land use that is currently accepted by the County as appropriate for this property. The purpose of this submittal is to propose an alternative that we respectfully hope that Summit County will consider as a viable and preferable alternative to the existing Zone designation.

The applicant is proposing a zone change on approximately 46.2 acres of the 455.84 total acres from the RR (Rural Residential) Zone to a proposed new Zone entitled the Mixed Use or MU Zone. This proposal is displayed visually in Exhibit B. We have included as part of this submittal proposed Code language that could be used or amended in whole or in part. The proposed Code language is included as Exhibit C. The remaining land would either not be subject to the proposed zone change and remain RR or could be converted to Open Space (OS). Regardless, as a benefit to allowing the proposed MU zone change the applicant would convert the remainder of the property into permanent open space with a perpetual conservation easement. This would represent 89% of the property, or approximately 409.64 acres. In addition to the preservation of the vast majority of the property as open space, the applicant would also offer as public benefits land for a County cemetery, land for a trails, land for recreation fields and an area for a non-profit land use proposal. The applicant would also, if needed, propose allowing some of the property to be utilized as a disposal site in an environmental clean-up effort.

The MU Zone would allow for a Zone that would satisfy a large amount of the County's current needs in the area. Transportation impacts are being felt throughout the Snyderville Basin and it is critical that new developments be transit-oriented. The MU Zone would be built around mass transit areas that would allow for pedestrian-oriented development. The net square footage of the MU Zone would not exceed the current density that could potentially be built on the property currently under the RR Zone. It simply condenses it into a much tighter area. The existing commercial Zones in Snyderville Basin Development Code (Community Commercial and Service Commercial) don't allow for a mixed use type of development that the neighborhood currently needs. Any commercial development application has an affordable housing component that is required. The MU Zone would require the affordable housing component to be built on site. This mix of uses reduces vehicle trips and allows for the affordable housing to be incorporated into the project.

The area where the property is located would benefit greatly from a grocery store. There are currently hundreds of housing units that are adjacent to the property and there are hundreds more that are planned for development in the near future. All of those houses would have to travel to Kimball Junction or Park City for groceries. A grocery store is usually between 45,000 and 55,000 square feet in size. Neither the CC Zone nor the SC Zone would allow for this type of use. Limiting the size of a single user to 60,000 square feet, as proposed in the MU Zone, would allow for a grocery store however it would not allow for single-story big box-type retail that usually require upwards of 100,000 square feet. Parking in the MU Zone would be required to be either structured or located to the rear of the proposed commercial use. This allows for a more visually-appealing view from primary view areas. The development would be very compact and adjacent and across from already existing high-impact uses.

The open space value of the Gillmor property is very substantial. The land can be viewed virtually in its entirety along the route of Highway 40. The land has long been used for cattle grazing and hay farming. The applicant recognizes the value of the open space and is willing to enter into conservation easements for the portion of the property that is not under consideration for development. The proposed plan put forth by the applicant would preserve the most open space value short of an outright open space purchase of the property. The proposed development area is confined to a small portion of the overall property and that portion is already compromised by the visual impacts of the adjoining land uses (UDOT, County Jail, Home Depot, etc.).

Although the land is, on its surface, very pastoral and natural, it has unfortunately been contaminated with mine waste from upstream sources. The property is planned to be mitigated through a significant clean-up effort headed by the EPA to remove the contaminated soil located throughout the wetland area. The EPA issued an Administrative Order of Consent in February, 2014 which provides the framework for addressing the environmental contamination. The contaminants all flowed from upstream point sources and the landowner did not in any way contribute to the environmental contamination. However the applicant recognizes the importance of cooperation in a region-wide environmental clean-up effort and offers the County the use of its property that is not part of the Zone change proposal to be used for that purpose.

The upland areas of the property, located along the eastern and western benches of the property, are not contaminated and are suitable for development. The eastern boundary of the property in the upland area is suitable for low density residential development as evidenced by the Promontory development located directly adjacent to the Gillmor property. Promontory has established a land use pattern in that area of large lot residential development. Under base density, home sites with guesthouses and barns could be scattered along this eastern boundary which would seriously interrupt the open space feeling that the land currently possesses.

It would be far more appealing to allow this portion of the land to remain as open space for a number of objectives. One important reason is that large lot development seriously disrupts open space view sheds. The associated roads, structures and related infrastructure would break up the open space and spoil the appearance of large undeveloped natural areas. Also important is the interruption of wildlife behavioral patterns. Wildlife populations are significantly impacted by the location of structures and roads that are spread out over a large area. The land-use pattern alters existing migration patterns and increases the incidence of negative wildlife/human interactions. Expansive infrastructure also affects drainage patterns. Natural land patterns simply cannot adjust gracefully to extensive changes to hard surfaces and altered drainage patterns. There is also the concern of infrastructure maintenance from both a sustainability perspective as well as cost consideration. It also increases the potential for the establishment of alien weeds and other vegetation that pushes out the native flora.

Another significant reason that allowing the land to remain as open space would be to maintain the current agricultural uses that the land currently supports. To many, the sight of cattle or sheep grazing and hay being farmed is an iconic image and one that is associated with a rural past that is slowly being pressured out of western Summit County.

While it would perhaps be an ideal solution to entirely preserve the land as open space, the reality is that the property must perform economically. The challenge is to pursue a reasonable development plan while at the same time preserving the property for the enjoyment of the public and the benefit of Summit County. Dividing and selling off large lots is not preferred for all of the reasons previously mentioned. While it may remain the fallback position of the Applicant, it is not what we believe is the highest and best use of the land. The property is designated to be developed, but perhaps it can be developed in such a manner so as to minimize the impacts to the public and at the same time address and fulfill needs within western Summit County.

It makes good fiscal sense to change this particular Zone to the MU Zone. Commercial zoning in general adds significant tax base to the local jurisdiction. This area has seen significant commercial development over the last decade and the need is increasing along with the expanded residential developments that are taking place around it. The need will only be exacerbated when the new 1,200 unit residential subdivision begins to develop that is immediately north of the project. Summit County will need tax revenue to offset the costs of servicing the existing residential, the planned residential as well as the large number of in-fill lots that are as yet undeveloped. The need is there and the Pace Meadow property is the ideal place to situate it relative to public transportation, connection to existing road and utility infrastructure and central to future and existing residential development needs.

Another very pertinent reason for Summit County to consider the MU Zone change proposal is the substantial sales tax benefits that the development would produce year-after-year. Not only would Summit County benefit significantly, the School District would also see a strong financial windfall. Sales taxes, when combined with option taxes, mass transit taxes and cultural taxes, total 6.35% of total sales generated. These revenues, combined with the increased property taxes that would accompany the proposed MU Zone change, are a strong incentive for the County to consider this proposal as an alternative to base density zoning.

Public Transportation is an important key to this proposal. It is reasonable to request that the proposed project is compatible with future and current public transportation systems. In order for the concept to work and function smoothly, it is important that the project incorporate public transit solutions and accommodations into the overall plan. The primary function will be to encourage use of public transportation and make the experience comfortable and easy relative to using personal vehicles. The applicant recognizes the importance of incorporating public transportation into its proposal and intends to work closely with Summit County officials to ensure that the best alternatives are explored and pursued.

One item that the applicant is willing to pursue, and a zone change would make it worthwhile to do so, would be to install a County cemetery for the use of the general population of Summit County. The County is currently suffering a dearth of suitable cemetery space and there have been active efforts to try to rectify this situation. Cemeteries can be controversial when placed adjacent to existing development. The Pace Meadow property is an ideal candidate for this use. It is separated enough from residential development to be a non-issue relative to property values. The property has the space and the topography to consider this use. The access to and from the cemetery is easy and the location is

proximate to the population centers of western Summit County. Perhaps most importantly the use is compatible with the other land uses that surround the property.

Additionally, the applicant would propose providing space for recreation fields for the use of the public and primarily the surrounding community. The Snyderville Basin Recreation District is continually seeking out new opportunities for recreational fields and the property is large enough to accommodate this if this is the direction of the Summit County Planning Staff and the Planning Commission. The applicant recognizes the importance of linking in the rest of the community with recreational outlets and believes that this use will enhance the overall livability of the proposed development.

A significant advantage of pursuing the proposed MU Zone change for Summit County would be the inclusion of affordable housing as part of the proposed development, an option that is minimized with base density zoning. The Summit County Code Affordable Housing Guidelines focus on density and use as the primary drivers that determine the type and amount of affordable housing units that must be included as part of a development. There are other criteria that come into play and there are several incentive programs that reduce the affordable housing obligation but increase its effectiveness. The applicant has considerable experience with affordable housing projects and has won Affordable Housing Project-of-the-Year awards from the Utah Community Housing Trust. It is an important tool not only for the community in which the participants live, but also for the applicant as it adds considerably to the vibrancy of the project.

Another consideration that can be included in the MU Zone change proposal would be the inclusion of a non-profit space that adds to the overall character and function of the site. The Pace Meadow property is centrally located and would be a good fit for a number of potential non-profit users. The applicant would make available land to be donated to a non-profit user that is acceptable to Summit County. The land would be used to further their mission and continue to support the important network of non-profit services that the area currently provides. A good potential fit may be Ballet West, as they are currently looking for an area in Summit County to expand their classical dance initiatives. This prestigious, nationally recognized organization would add to the overall economic development of the County and help to diversify the opportunities that already exist in the area.

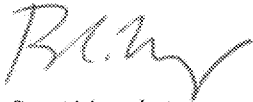
Another advantage of considering the proposed MU Zone change would be the expansion of the existing trail network that is associated with the site. As mentioned previously, the Rail Trail bisects the site and there are many possible connections that could be made to accommodate further expansion of this community asset. Given the size of the property and the proximity to the new underpass that was recently completed as well as other existing trail networks, there are a number of potential connections that could be made to enhance Summit County's trail system.

The proposed MU Zone change for the Pace Meadow property would result in many positive benefits for the County and the general public. The principal benefit is the preservation of the vast majority of the property into permanent open space. The value of the open space is tangible and will add considerably to the rural ambience of western Summit County. Other potential benefits include providing affordable housing, land for a non-profit use, land for public recreation fields, land for a County cemetery and the ability to create extensive trail systems that link to existing trail networks. The

proposal will add considerable tax revenue to the County as well as the South Summit School District. There are also advantages for environmental clean-up concerns. By creating a transit-oriented commercial Zone that addresses the current and future needs of Western Summit County, the land remains largely preserved and at the same time encourages intelligent, well-planned communities.

Thank you for your consideration of this proposal. It is a privilege to work with Summit County. If you have any initial questions or comments whatsoever concerning this proposal, please do not hesitate to contact us (paladinparkcity@aol.com, 435-640-5068).

Sincerely,

A handwritten signature in dark ink, appearing to read 'R. Murphy', with a checkmark at the end.

Rory Murphy

Brooke Hontz

The Estate of Florence J. Gillmor

CC: Mr. James Lee, Mr. David Bird

Title 10

Chapter 2 Zoning Districts

10-2-17 Mixed-Use Transit Oriented Development Zone (MU)

- A. Intent and Rezone Requirements: The intent of the Mixed-Use Transit Oriented Development (MU) zone district is to provide a framework and approval process for creating mixed use projects that promote transit oriented development around advanced transit facilities. Development within the MU Zone is a compact, high to medium density/intensity, mixed-use, transit and pedestrian oriented activity center that promotes local economic activity in developments that are diverse, livable, sustainable, and enhance and maintain quality of life.

This distinct pattern of development is facilitated by flexible site and community design standards that:

- Provide a concentration of retail, personal and business services, as well as residential and cultural uses that are efficiently served by a mass transit system;
- Provide continuous, direct, convenient transit and pedestrian linkages, including walkways between principal entrances of buildings and to adjacent lots;
- Increase the potential for home/work transit ridership by encouraging medium to high density mixed use development around advanced transit facilities in areas where redevelopment or new development should occur;
- Encourage the use of public transit by reducing parking requirements within the MU and the provision of park and ride lots near advanced transit facilities where appropriate;
- Protect pedestrians and cyclists from traffic using clearly designated crosswalks, buffering, shelters, lighting, and grade separations;
- Situate parking to the rear of the structure with proper screening, or in a parking garage, which possesses storefronts on any side facing an urban corridor;
- Minimize curb cuts/driveways;
- Provide mixed land uses that are compatible and mutually supportive;
- Promote development patterns and land uses which reduce transportation needs and which conserve energy and natural resources.

Property currently zoned Rural Residential (RR), Community Commercial (CC), Service Commercial (SC) or Neighborhood Commercial (NC) can be considered for a Rezone to MU. Property with Hillside Stewardship (HS), Mountain Remote (MR), Town Center (TC), Resort Center (RC) or within a SPA shall not be allowed to rezone to MU.

A Property shall be surrounded within three hundred feet (300') on at least two (2) sides by existing residential development that exceeds one unit per one acre; or commercial, industrial or institutional uses totaling at least 80,000 square feet of development, to be considered for Rezone to MU.

- B. Density: Density shall be determined by the ability of the proposed development to meet all required development and performance standards and criteria set forth in this title. Density within the area Rezoned to MU shall not exceed the density of the existing zoning per the following formula:

Density Calculation Formula				
Existing Zoning	Establish Base Density	Base Density Example	Establish Total Density	Total Density Example
Rural Residential (RR)	Determine single-family residential Base Density allowed under area within rezone.	Sample formula: 300 total acres unplatted, plus 5 existing lots of record (platted). 100 acres of developable lands = 5 units 200 acres of sensitive lands = 5 units 5+5+5 = 15 total units	Assume 10,000 sf homes, 3,000 sf accessory dwellings and 7,000 sf barn per each base unit. = total 20,000 sf per base "unit"	15 total units * 20,000 per base unit = 300,000 sf of commercial and residential available. Affordable and attainable housing shall not count toward the total square footage allowed. Any TDR's transferred into the area in the SKETCH PLAN rezoned shall not count toward the total density. NO density can be transferred out of this zone.
Community Commercial (CC), Service Commercial (SC) or Neighborhood Commercial (NC)	To be determined			

- C. Schedule Of Uses: The table of uses sets forth the appropriate uses in this zone.

- D. Setback And Bulk Regulations:

1. The minimum setback from Highways 224, 40, 248, and Interstate 80 rights of way shall be one hundred feet (100').

2. The minimum setback from any wetland shall be forty feet (40').
3. The minimum setback from the centerline of East Canyon Creek shall be one hundred fifty feet (150').
4. The minimum setback from a naturally occurring year round stream (other than East Canyon Creek) shall be one hundred feet (100') from the centerline of the stream.
5. The minimum setback from a naturally occurring lake, pond, or reservoir shall be one hundred feet (100') from the high water mark.

6. Building/Structure Setbacks:

- a. The entire building façade must abut front and street side property lines or be located ten (10) feet of such property lines.
- b. The minimum rear setback is [0–30] percent of the lot depth. Comment: The appropriate minimum building setback will depend on lot and development patterns in the area. When alleys abut the rear of MU lots, no rear setback may be necessary, except perhaps for upper floors. On the other hand, when MU-zoned lots will abut the rear property line of residential lots, buildings in this district should be set back from rear property lines in order to protect the privacy and open feeling expected within residential rear yards.
- c. No interior side setbacks are required in the MU district, except when MU-zoned property abuts RR-zoned or MR-zoned property, in which case the minimum side setback required in the MOTOD district shall be the same as required for a residential use on the abutting R-zoned or MR-zoned lot.

7. Maximum building or structure height shall be thirty two feet (32') for single-use structures and fifty feet for mixed-use structures. Height shall be measured according to section 10-4-22 of this title.

8. Floor-to-Floor Heights and Floor Area of Ground-floor Space. All commercial floor space provided on the ground floor of a mixed-use building must have a minimum floor-to-ceiling height of 11 feet. All commercial floor space provided on the ground floor of a mixed-use building must contain the following minimum floor area: (a) At least [800] square feet or [25] percent of the lot area (whichever is greater) on lots with street frontage of less than [50] feet; or (b) at least 20 percent of the lot area on lots with [50] feet of street frontage or more.

E. Performance Standards: In addition to compliance with all standards for approval outlined in chapter 4 of this title, the following special performance standards will apply in this zone:

1. Limitation On Direct Retail Sales: No single retail use within a building may exceed sixty thousand (60,000) square feet in floor area.
2. Industrial and Commercial Uses: Industrial and Commercial uses shall not create glare, heat, odor, smoke, noise or physical vibration of the building.

3. Parking: Residential parking shall comply with section 10-4-9 of this title. No off-street parking is required for nonresidential uses in MOTOD districts unless such uses exceed [3,000] square feet of gross floor area, in which case off-street parking must be provided for the floor area in excess of [3,000] square feet. An excessive influence of parking lots can negatively impact the urban design objectives of the MU. To control such impacts, the following standards shall apply to at or above ground parking facilities.

- a. Off-street parking must be located in the rear of building. Both rear parking lots and parking garages or decks may be constructed. Parking deck facades must have the appearance of horizontal storied buildings, be of similar paint or material tone as surrounding buildings, and have storefront treatment on ground floor. Parking decks and garages must contain retail, office or civic uses along the frontage on the first floor.
- b. Parking facilities must be readily accessible by pedestrian pathways and sidewalks with a maximum of one curb cut per side.
- c. A parking lot or garage may not be adjacent to a square or adjacent to or opposite a street intersection, or occlude any lots that terminate a street vista.
- d. No special restrictions shall apply to below ground parking facilities.

4. Mechanical Equipment: All exterior mechanical equipment shall be screened to minimize noise infiltration to adjoining properties and to minimize the view of the equipment from nearby properties and from public roadways.

5. Delivery And Loading Areas: The loading and unloading of goods shall take place entirely on site and shall not interfere with emergency access, vehicular access or pedestrian access. Loading areas shall be screened from general public view as much as possible. (Ord. 708, 12-10-2008)

6. Refuse Storage And Disposal: In addition to complying with section 10-4-13 of this title, all garbage, refuse and recycling functions associated with uses in this zone shall be required to be screened. (Ord. 731, 12-2-2009)

7. Open Space: All development in this zone shall provide a minimum of seventy five percent (75%) open space of the total area rezoned within the SKETCH PLAN; making the actual developed area compact when compared to the entire area rezoned. For rezoned areas that accept TDR's as a receiving zone, the total open space requirement for the entire area in the rezoned SKETCH PLAN is 70%.

8. Doors and Entrances: Buildings must have a primary entrance door facing a public sidewalk. Entrances at building corners may be used to satisfy this requirement. Building entrances may include doors to individual shops or businesses, lobby entrances, entrances to pedestrian-oriented plazas, or courtyard entrances to a cluster of shops or businesses.

9. For 75% of the area rezoned in the SKETCH PLAN, A minimum of two land uses must be developed on each site (lot) in the MU. Of these, one land use must be a residential, office, or lodging use above grade and the other use must be a commercial or recreation use at ground grade. A development may consist of two or more building lots if they are developed under a unified development plan. When a development consists of multiple building lots, its development standards and off-street parking and loading requirements must be calculated by combining the lots and treating them as a single building lot. 25% of the area rezoned in the SKETCH PLAN may be solely residential.

10. Connected Street and Walkway Network. The area rezoned to MU will provide continuous, direct, convenient transit and pedestrian linkages, including walkways between principal entrances of buildings and to adjacent lots, and will ensure a continuous network of pathways and connections. Where there is an existing grid, connect with street and sidewalk network. Connectivity is key to the success of the MU zone.

11. Access to Public Transportation. The area rezoned to MU will facilitate access to public transit and will encourage the use of public transportation. Public transportation stops are encouraged to be no farther than ¼ mile from any part of the developed area, so that commuters or residents or visitors can walk less than ¼ mile all uses. The public transportation locations shall be well-lit (with dark-sky appropriate LED or other county approved lighting), signed with necessary information and safe.

F. Procedures:

1. Pre-Application. Prior to formal application for amendment of the Zoning Map, the applicant or his/her agent shall have a pre-application conference with the Planning Director and staff regarding the proposed rezone to MU. In addition, the pre-application conference may be used to determine what elements may be required in the rezone SKETCH PLAN.

2. Rezone Application. Zoning District Map Amendment the Applicant would, based on the Sketch Plan, submit a zoning change application for area-wide rezoning to MU District for the area under consideration. A Sketch Plan will be a required submission for a zoning change application. The Planning Commission shall review the Zoning Change Application and the Sketch Plan simultaneously, and shall hold a Public Hearing. The zoning change to MU and amendment to the Zoning District Map shall be approved by the relevant legislative body pursuant to section xxxx.

3. Minor or Major Development Plan Application. Once the Zoning District Map Amendment process is complete, and the MU District is in place, individual property owner(s) shall submit a Minor or Major Development Plan for the entire property within the MU District. The decision on the process to be used shall be made by the Community Development Director in writing within 15 days of Sketch Plan approval.

4. Development. After the site is approved with a Minor or Major Development Plan Application, individual projects (CUP, Low Impact Permit or Building Permits) may be presented to the County Planning staff per existing county processes.

http://www.sustainablecitiesinstitute.org/Documents/SCI/Model_Policies_Legislation/Model%20Ordinance%20-%20City%20Louisville%20Transit%20Oriented%20Development%20Ordinance.pdf
<https://www.planning.org/research/smartgrowth/pdf/section41.pdf>

USE TABLE

Use	RR	HS	MR	CC	SC	NC	MU	Additional Reference
Accessory buildings under 2,000 square feet	A	A	A	A	A	A	L	
Accessory buildings between 2,000 square feet and 10,000 square feet	L	L	L	*	*	*	C	
Accessory buildings over 10,000 square feet	C	C	C	C	C	C	C	
Adult/sex oriented facilities and businesses	*	*	*	C	*	*	*	Subsection 10-3-5J of this title
Agricultural sales and service	*	*	*	L	L	*	*	
Agriculture	A	A	A	A	A	A	*	
Auto impoundment yard and towing services	*	*	*	*	L	*	*	
Auto rental	*	*	*	L	*	*	C	
Auto repair, service and detailing	*	*	*	L	L	*	C	
Auto wrecking yard	*	*	*	*	*	*	*	
Automotive sales	*	*	*	C	*	*	*	
Banks and financial services	*	*	*	L	*	C	L	
Bars, taverns, clubs	*	*	*	L	C	C	L	
Bed and breakfast inn	C	C	C	*	*	*	*	
Building and maintenance services	*	*	*	L	L	*	L	
Camp	*	C	C	*	*	*	*	
Campground	*	C	C	C	*	*	*	
Car wash, commercial	*	*	*	L	*	*	L	

Cemetery	C	C	C	C	*	C	C	
Childcare center with 9 _ 16 children	C	C	C	*	*	C	L	Section <u>10-8-7</u> of this title
Childcare center with more than 16 children	C	*	*	L	*	C	L	Section <u>10-8-7</u> of this title
Childcare, family, fewer than 9 children	L	L	L	*	*	C	L	Section <u>10-8-7</u> of this title
Childcare, in home	A	A	A	*	*	A	A	Section <u>10-8-4</u> of this title
Churches, schools, institutional uses	C	*	*	C	*	C	C	
Commercial kennels	C	C	C	L	L	C	*	
Construction equipment rental	*	*	*	L	C	*	*	
Construction equipment storage	*	*	*	C	L	*	*	
Construction management office	*	*	*	L	L	*	L	
Construction sales, wholesale	*	*	*	L	L	*	*	
Construction services, contract	*	*	*	L	L	*	*	
Cultural activity	C	*	*	L	*	C	L	
Dwelling unit, accessory	A	A	A	A	A	A	A	Section <u>10-8-5</u> of this title
Dwelling unit, agricultural employee	L	L	L	*	*	L	*	Section <u>10-8-5</u> of this title
Dwelling unit in the ridgeline overlay zone	L	L	L	L	L	L	L	Section <u>10-2-13</u> of this chapter
Dwelling unit, multi-family	C	*	*	C	*	C	C	
Dwelling unit, single-family attached	A	L	L	C	*	C	C	
Dwelling unit, single-family detached on a lot of record outside of a platted or recorded subdivision	L	L	L	*	*	L	*	
Dwelling unit, single-family	A	A	L	*	*	A	A	

detached on a lot of record within a platted or recorded subdivision								
Dwelling unit, two-family or duplex	C	C	*	C	*	C	L	
Funeral services	*	*	*	L	*	*	C	
Gas and fuel, storage and sales	*	*	*	C	L	*	C	
Gasoline service station with convenience store	*	*	*	L	*	C	C	Section 10-8-8 of this title
Golf courses	C	C	*	C	*	*	*	
Group home	C	*	*	L	*	C	C	
Healthcare facilities	*	*	*	L	*	C	C	
Historic structures, preservation of, including related accessory and supporting uses	L	L	L	L	L	L	L	Section 10-8-11 of this title
Home based businesses, class 1	A	A	A	A	*	*	A	Section 10-8-4 of this title
Home based businesses, class 2	L	L	*	*	*	*	L	Section 10-8-4 of this title
Horse boarding, commercial	C	C	C	C	*	C	*	
Horse boarding, private	L	L	L	L	*	L	*	
Horse stables and riding academy, commercial	C	C	C	C	*	C	*	
Hospitals	*	*	*	C	*	*	C	
Hotel, motel or inn with fewer than 16 rooms	*	*	C	C	*	C	C	
Hotel, motel or inn with 16 or more rooms	*	*	*	C	*	*	C	
Indoor entertainment such as bowling alleys, skating rinks, movie theater, performing arts center	*	*	*	L	*	*	L	
Laundromat	*	*	*	L	*	C	L	
Logging camp	*	C	C	*	*	*	*	

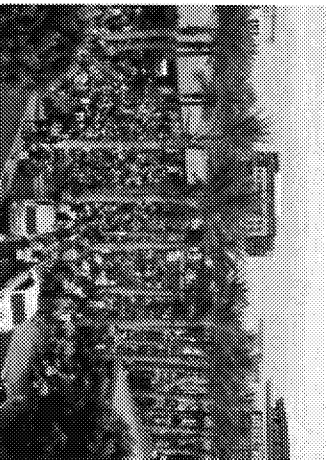
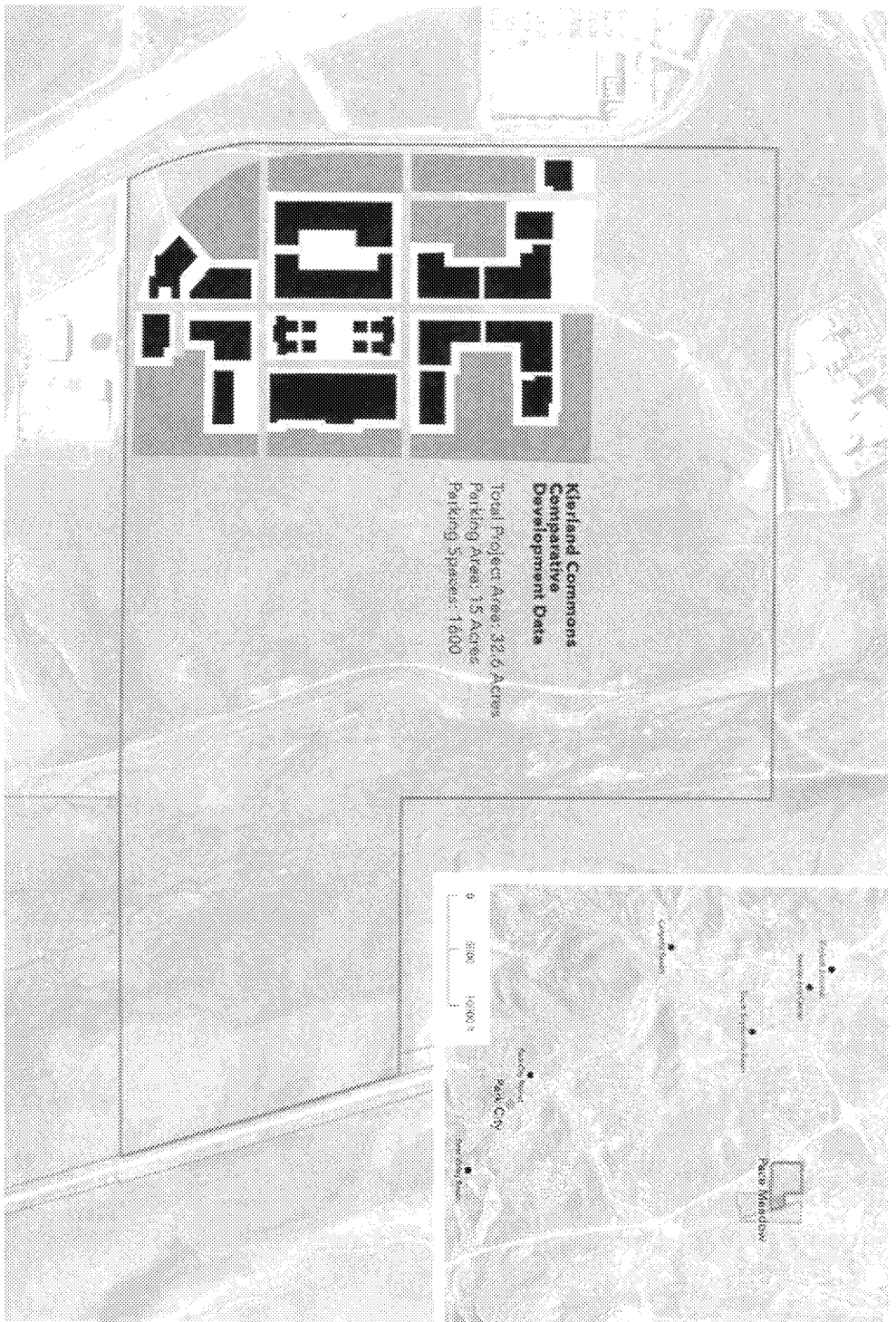
Manufacturing, custom	*	*	*	L	L	*	*	
Manufacturing, heavy	*	*	*	*	C	*	*	
Manufacturing, light	*	*	*	L	L	*	L	
Medical equipment supply	*	*	*	L	L	*	L	
Mining, resource extraction	*	C	C	*	*	*	*	
Nursery, retail	*	*	*	C	*	*	C	
Nursery, wholesale	C	C	C	C	C	C	C	
Nursing home	C	*	*	C	*	C	L	
Offices, general	*	*	*	L	L	C	L	
Offices, intensive	*	*	*	C	*	*	C	
Offices, medical and dental	*	*	*	L	*	C	L	
Offices, moderate	*	*	*	L	*	*	L	
Open recreation uses, commercial	C	C	C	C	*	C	C	
Open space	A	A	A	A	A	A	A	Section 10-4- 4 of this title
Outdoor display of merchandise, off premises	*	*	*	*	*	*	*	
Outdoor display of merchandise, on premises	*	*	*	C	*	*	C	
Park and ride	C	C	C	L	L	L	L	
Parking lot	C	*	*	L	L	C	C	Section 10-4- 9 of this title
Parking lot, commercial	*	*	*	L	L	C	C	
Parks	C	C	C	A	A	A	A	
Personal improvement services	C	*	*	L	*	C	L	
Personal services	*	*	*	L	*	C	L	
Pet services and grooming	*	*	*	L	L	C	L	
Property management offices/check in facilities	*	*	*	L	*	*	L	

Public facilities	C	C	C	C	C	C	C	
Recreation and athletic facilities, commercial	*	*	*	L	*	C	L	
Recreation and athletic facilities, private	L	L	L	C	*	L	L	
Recreation, public	C	C	C	C	*	L	L	
Recycling facilities, class I	A	A	A	A	A	A	A	Section 10-4-13 of this title
Recycling facilities, class II	C	*	*	L	L	L	L	Section 10-4-13 of this title
Rehearsal or teaching studio for creative, performing and/or martial arts with no public performances	*	*	*	L	*	L	L	
Repair services, consumer	*	*	*	L	*	C	C	
Residential treatment facility	C	*	*	L	*	C	C	
Resort lifts, new	C	C	C	*	*	C	*	
Resort lifts, replacement	L	L	L	*	*	L	*	
Resort operations	L	L	L	*	*	L	L	
Resort runs, new	C	C	C	*	*	C	*	
Resort structures under 5,000 square feet	L	L	L	*	*	L	*	
Resort structures 5,000 square feet and over	C	C	C	*	*	C	*	
Restaurant, deli or takeout intended to serve a neighborhood	*	*	*	L	L	C	A	
Restaurant, drive-in or drive-up window	*	*	*	C	*	*	C	Section 10-8-9 of this title
Restaurant, full service	*	*	*	L	*	*	L	
Retail sales, associated with service commercial	*	*	*	*	L	*	A	
Retail sales, convenience store	*	*	*	L	*	C	L	
Retail sales, food	*	*	*	L	*	C	L	

Retail sales, general	*	*	*	L	*	C	L	
Retail sales, larger than 40,000, less than 60,000 square feet in size	*	*	*	C	*	*	L	
Retail sales, larger than 60,000 square feet in size	*	*	*	*	*	*	C	
Retail sales, wholesale	*	*	*	L	L	*	L	
Satellite dish antenna 36 inches in diameter or less	A	A	A	A	A	A	A	
Satellite dish antenna, more than 36 inches in diameter	L	L	L	L	A	L	C	
Seasonal plant and agricultural sales	T	T	T	T	T	T	T	
Signs	L	L	L	L	L	L	L	Section 10-8-2 of this title
Ski lifts, private	C	C	C	*	*	C	*	
Ski runs, private	C	C	C	*	*	C	*	
Stockyards	*	*	*	*	*	*	*	
Storage, RV or boat	*	*	*	C	L	*	*	
Storage, self-service	*	*	*	L	L	*	*	
Storage, vehicle	*	*	*	C	L	*	*	
Structure in the ridgeline overlay zone	L	L	L	L	L	L	L	Section 10-2-13 of this chapter
Telecommunication facilities, collocation	A	A	A	A	A	A	A	
Telecommunication facilities other than collocation or stealth	C	C	C	L	L	C	C	
Telecommunication facilities, stealth	L	L	L	L	L	L	L	
Temporary facilities in association with a redevelopment application	T	T	T	T	T	T	T	
Temporary structures	T	T	T	T	T	T	T	

Trailhead parking, designated, within 300 feet of a residential parcel:	C	C	C	A	A	A	A	
Major (more than 10 parking stalls)	C	C	C	A	A	A	A	
Minor (up to 10 parking stalls)	L	L	L	A	A	A	A	
Trails, community wide	A	A	A	A	A	A	A	
Trails, neighborhood	L	L	L	L	L	L	A	Section <u>10-4-16</u> of this title
Transportation services	*	*	*	L	L	*	L	
Truck stop	*	*	*	C	*	*	C	
Typesetting and printing facility	*	*	*	L	L	*	L	
Utility facilities, aboveground	C	C	C	L	L	L	L	
Utility facilities, major	C	C	C	L	L	C	C	
Utility facilities, underground	L	L	L	L	L	L	L	
Vehicle and equipment sales or rental	*	*	*	L	L	*	*	
Vehicle control gate	C	C	C	*	*	*	*	Section <u>10-8-12</u> of this title
Veterinarian	*	*	*	L	L	C	L	
Warehousing and distribution, general	*	*	*	C	L	*	C	
Warehousing and distribution, limited	*	*	*	L	L	*	C	
Wholesale construction supply	*	*	*	L	L	*	C	

Kierland Commons - Scottsdale, AZ

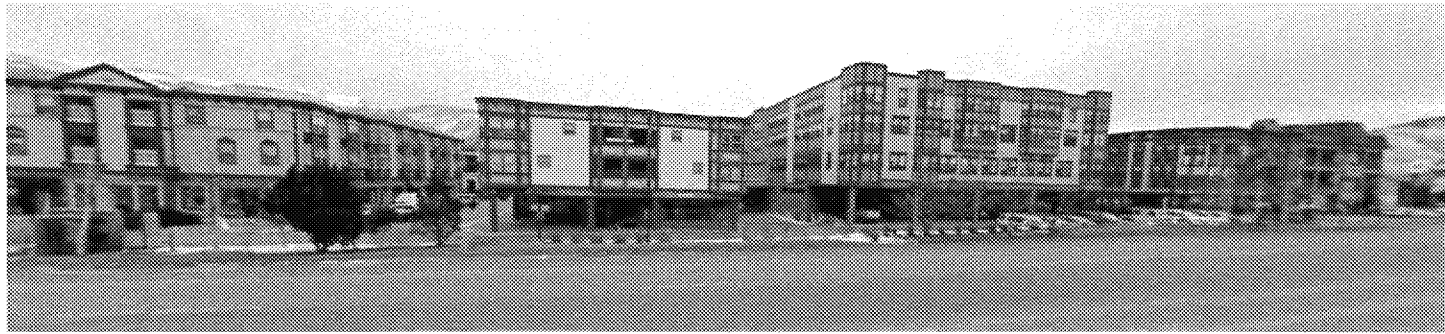
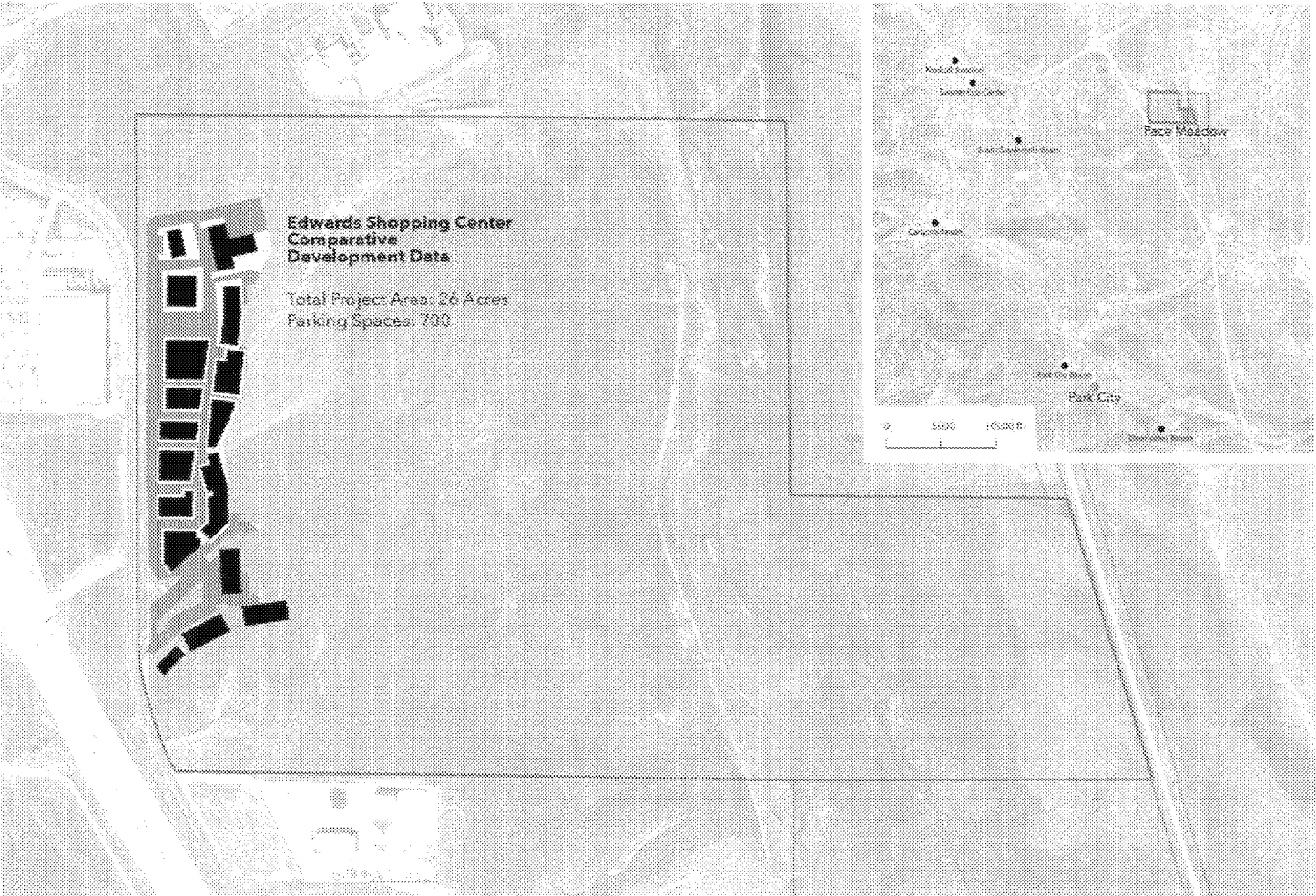


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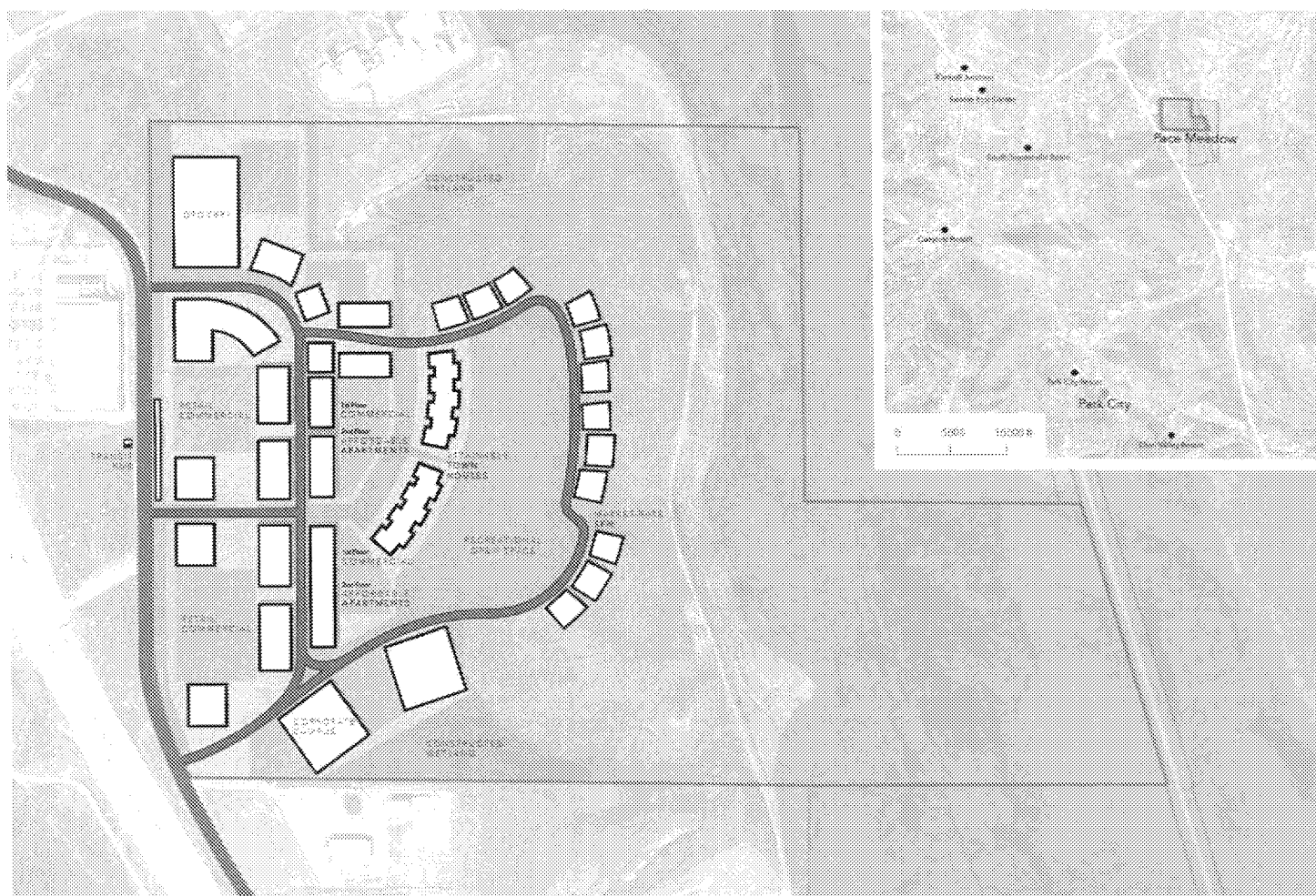
Overlay Two

Edwards, CO Shopping Center



Site Plan

The Pace Meadow Project



Development Data

Existing Parcels: SS-47, SS-50, SS-56 & SS-56-A-1-A

Existing Zoning: Rural Residential (RR)

Total Project Area: +/- 461.18

Total Sensitive Lands: 92 Acres

Potential Developable Area: 56.7 Acres



WOW



March 18, 2015

Mr. Patrick Putt, Summit County Community Development Director
Mr. Peter Barnes, Planning and Zoning Administrator
Ms. Jennifer Strader, Senior Planner
Summit County Planning and Zoning Department
60 North Main St.
P.O. Box 128
Coalville, UT 84017

RE: Request of Temporary Stay for CUP Application

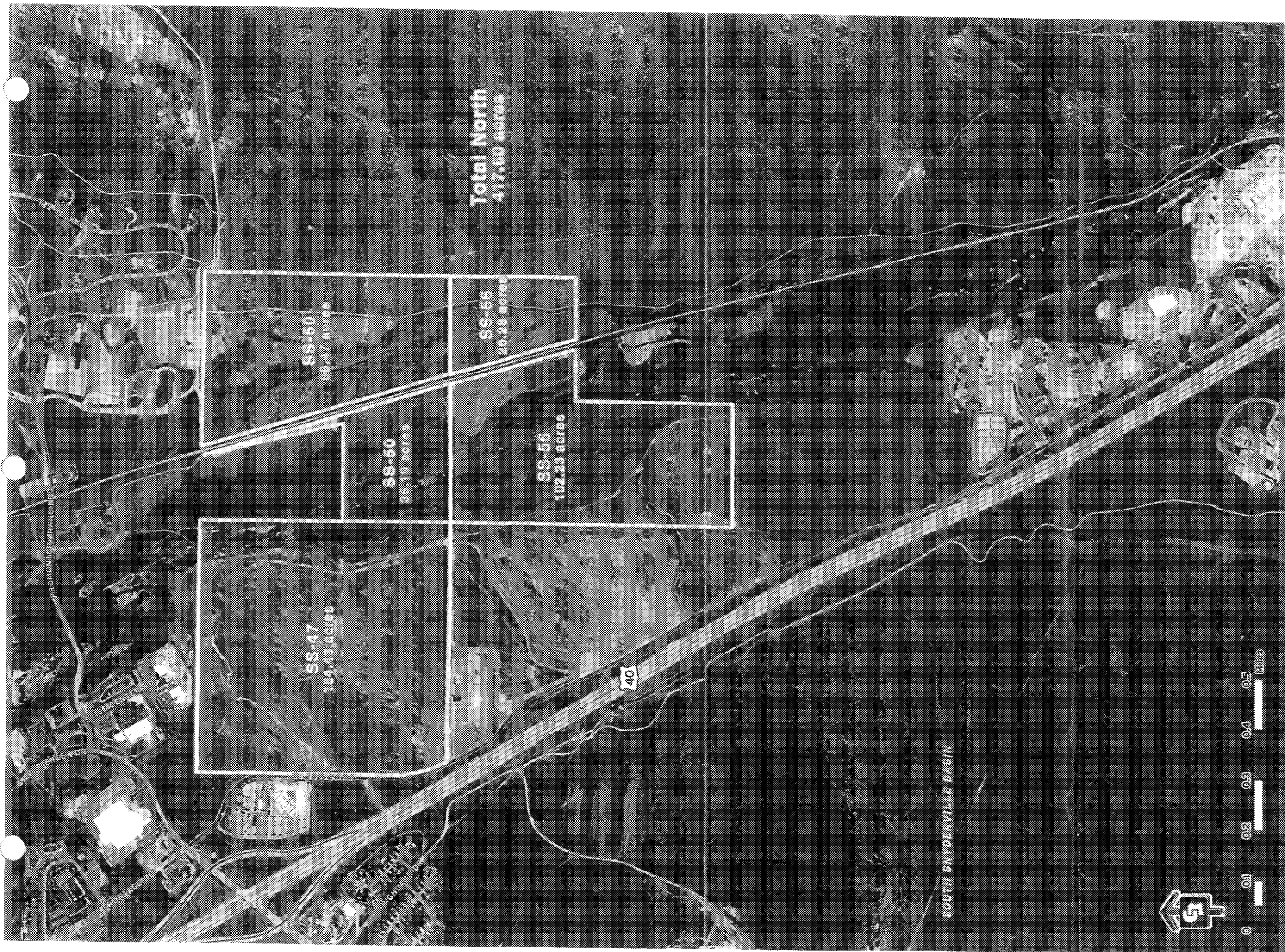
Dear Pat, Peter and Jennifer,

This letter serves as our request to request that Summit County temporarily grant to our group a "stay" on the CUP submittal that is required as part of a rezone proposal. As we discussed during our meeting in February, we agreed that it was premature to submit the CUP application given where we were with a new Zone application. Once Summit County has had a chance to consider the new Zone proposal, we will proceed with the CUP portion of this submittal (or not, as the case may be) depending upon Summit County's decision on the proposed new Zone.

Thank you for your consideration of this stay. As always, we deeply appreciate Summit County's attention to our proposal and we are available for any questions, comments or direction that the Summit County staff may have concerning this request.

Take care,


Rory Murphy



Gillmor North
Summit County, Utah

